

**MINUTES
CITY OF PORT WASHINGTON
CITY COUNCIL MEETING
June 5, 2007**

A duly convened meeting of the Common Council was called to order at 7:30 p.m. by Mayor Huebner in the Council Chambers. Council members present: Aldermen Al Haacke, Jim Vollmar, Tom Hudson, Pete Jushka and Chris Ross. Absent & excused were Alderman Burt Babcock and City Engineer Rob Vanden Noven. Also present: City Administrator Mark Grams, City Attorney Eric Eberhardt, City Planner Randy Tetzlaff and Student Representative Daniel Will. The Pledge of Allegiance to the flag was recited.

CONSENT AGENDA

- A. Approve Minutes of the Previous Meetings – May 15 and May 24, 2007
- B. Consider Original Operator's License Applications-Nicole C. Bliesner, Matthew W. Hoffmann, Sabrina L. Hoffmann, Raymond S. Schweissinger, Jr., Melissa E. Schumann, Christy A. Churman, Franz A. Schubert, Andrew S. Edquist, Jennifer L. Schmitz, Marc A. Large and Robert R. Klein
- C. Consider Renewal of Operator's License Applications-See attached list
- D. Consider Original Combination "Class B" Retail (Tavern) License Application-H2O, LLC (Bruce Corgiat) Chuck's Engine Room/July 1, 2007 to June 30, 2008
- E. Consider Renewal of Combination "Class B" Retail (Tavern) License Applications-Randall J. Buser/Grand Avenue Saloon/550 W. Grand Ave., Horsefeathers Restaurant, LLC (Marc J. Cooper) 301 E. Pier St., Schooner Pub, Inc. (Mark R. Poull) 114 N. Franklin St., New Port Shores, Inc. (John W. Weinrich) 407 E. Jackson St., Pasta Shoppe, LLC (James R. Kiesow) 323 N. Franklin St., Beanie's, Inc. (Marcia Endicott) 102 E. Grand Ave.
- F. Consider Renewal of Combination "Class A" License Applications-Vadim Mustafayhev (Vlad Port Wine and Spirits) 925A S. Spring St. and Sanfilippo Bros., Inc. (Joseph J. Sanfilippo) 101 W. Seven Hills Rd.
- G. Consider Renewal of Class "B" Fermented Malt Beverage License Applications-Luigi's Italian Restaurant-Port Washington, LLC (Christina Mannino) 201 W. Seven Hills Rd., Port Washington Yacht Club, Inc. (Nancy Schubert) 430 N. Lake St., Dockside Deli, Inc. (Mary Ann Voigt) 218 E. Main St.
- H. Consider Renewal of "Class C" Retailer's Wine License Applications-Luigi's Italian Restaurant-Port Washington, LLC (Christina Mannino) 201 W. Seven Hills Rd.
- I. Consider Cabaret License Applications-Horsefeathers Restaurant, LLC (Marc Cooper) 301 E. Pier St. and Schooner Pub, Inc. (Mark R. Poull) 114 N. Franklin St. – July 1, 2007 to June 30, 2008
- J. Consider Temporary Class "B" and "Class B" Retailer's License (Picnic) Applications-St. Peter of Alcantara Congregation/Port Washington Marina/July 21, 2007 (Fish Day), Ozaukee Lodge #17 F & AM of WI/July 21, 2007/Port Washington Harbor and St. John's Lutheran Church/6/24/07, 7/29/07 and 8/26/07 (Concert Series) 217 N. Freeman Dr.
- K. Consider Temporary Bartenders License Applications-St. Peter's Men's Club-July 21, 2007-Randall A. Lanser, Lois K. Lanser, Beth Ann Lauters, William H. Adams, Brian J. Zielke, Randy R. Weyker, Girard R. Orvis and Russell R. Schreiner; St. Peter's/St. Mary's Congregation-August 10-11, 2007-Steven J. Deutsch; Ozaukee Lodge #17 F & AM of WI-Craig G. Heatwole, Thomas J. Abbott, Jason M. Canfield, Erwin A. Wuehr; St. John's Lutheran Church-Thomas J. Morano, II

MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN HAACKE TO APPROVE THE CONSENT AGENDA. **Motion carried unanimously.**

MAYOR'S BUSINESS

- A. Interview Candidates For Second District Alderman-City Administrator Grams indicated that two candidates submitted a letter of interest for the Second District Alderman position. They are Paul D. Neumyer and James Meyer. The candidates were asked to talk about themselves and why they are interested in the position and then it would be opened up to questions from the Council. Some of the questions from the Council were how much time would they have to respond to people's requests, their background on education, what are some of the pluses in the City and what do we have to improve and what they would like to do to move Port Washington forward? City Attorney Eberhardt reviewed the options for procedures to be followed by the Council under law to fill a vacant aldermanic position.
- B. Appointment Of Second District Alderman-MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN ROSS TO NOMINATE PAUL D. NEUMYER TO FILL THE REMAINDER OF THE TERM FOR SECOND DISTRICT ALDERMAN. **Motion carried unanimously.** 5 ayes and 0 nays. City Administrator Grams gave Paul Neumyer the Oath of Office.
- C. Appointment To Harbor Commission And Student Rep On Park & Recreation Board-Mayor Huebner reported there is no student rep to appoint to the Park and Recreation Board at this time. MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN JUSHKA TO CONFIRM THE APPOINTMENT OF TRACI MEAD TO THE HARBOR COMMISSION. 5 ayes and 1 nay (Alderman Vollmar) **Motion carried.**
- D. Mayor Huebner read the proclamation designating June 15-16, 2007 as "Relay for Life Days" in the City of Port Washington.

OFFICERS'/STAFF REPORTS

- A. Public Information Meeting For N. Spring Street Project-City Administrator Grams reported that there would be a public information meeting scheduled for the reconstruction of North Spring Street from STH 33 to Mallinger Drive from 5 to 7 p.m. on Tuesday, June 19, 2007 in the Council Chambers. Representatives from the City of Port Washington, WisDOT and Gremmer & Associates, Inc. will be available to explain the proposed improvements.
- B. Open House For DPW/Park & Recreation Maintenance Facility-City Administrator Grams reminded the Council of the Open House Community Day scheduled for Saturday, June 16, 2007 from 10 a.m. to 2 p.m. at the new Municipal Garage Service Center located at 333 N. Moore Road.
- C. Update On Hiring Wastewater Utility Superintendent-City Administrator Grams reported that the person recommended for the position of Wastewater Utility Superintendent withdrew his application so the position would be re-advertised and hopefully we will have a candidate to recommend for the meeting in July.

PUBLIC COMMENTS/APPEARANCES-None

COMMITTEES

A. Finance & License Committee

1. Ordinance 2007-10 (Amend Chapter 23.06.010 Of The Municipal Code, Cable Franchised Fee Payments) **1st Reading**

B. Traffic Safety Committee

1. Ordinance 2007-9 (Eliminate Two-Hour Parking On The North Side Of E. Grand Avenue, East Of Franklin St.) **2nd Reading**-MOTION BY ALDERMAN HAACKE, SECONDED BY ALDERMAN VOLLMAR TO APPROVE ORDINANCE 2007-9. **Motion carried unanimously.**

BOARDS/COMMISSIONS

A. Plan Commission

1. Approve Certified Survey Map To Create Two Parcels And An Outlot For Property Along Sunset Road, Henry Freier Owner-City Planner Randy Tetzlaff reviewed the Certified Survey Map for this area. MOTION BY ALDERMAN HAACKE, SECONDED BY ALDERMAN HUDSON TO APPROVE THE CERTIFIED SURVEY MAP FOR THE HENRY FREIER PROPERTY SUBJECT TO THE CONDITION THAT A NOTATION IS MADE TO INDICATE THAT MAINTENANCE OF THE RETENTION POND IN OUTLOT 1 IS THE RESPONSIBILITY OF THE OWNERS OF LOTS 1 AND 2 ON THE CSM. **Motion carried unanimously.**
2. Public Hearing To Consider Rezoning Newly Annexed Lands On Sunset Road, Henry Freier Property, From AG, Agricultural District to RS-5, One And Two Family Residence District-Mayor Huebner declared open the Public Hearing. Terri Reismann, 1792 Shalestone Drive-Has concerns with the proposed community based residential facility. She asked how high the building would be. City Planner Tetzlaff said it would be a 20-unit one-story building and the parking lot would be landscaped. Regarding the proposed church, she was concerned about noise and the aesthetics of the building. MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN VOLLMAR TO CLOSE THE PUBLIC HEARING. **Motion carried unanimously.**
3. Ordinance 2007-11 (Rezoning Of Newly Annexed Land On The North Side Of Sunset Road, West Of The Greystone Subdivision, Freier Property) **1st Reading**
4. Public Hearing To Consider A Conditional Use Grant To Permit A Community Based Residential Facility At The Western Terminus Of Granite Lane-Mayor Huebner declared open the Public Hearing. MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN JUSHKA TO CLOSE THE PUBLIC HEARING. **Motion carried unanimously.**
5. Public Hearing To Consider A Conditional Use Grant To Permit A Church On Property Located On The North Side Of Sunset Road And West Of The Greystone Subdivision. Mayor Huebner declared open the Public Hearing. MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN JUSHKA TO CLOSE THE PUBLIC HEARING. **Motion carried unanimously.**
6. Public Hearing To Rezone A Portion Of Land At 1330 W. Grand Ave. From RS-2 To B-2. Mayor Huebner declared open the Public Hearing. Jeff Morgan, representing JJ Spinnaker Investments who owns property to the north. Expressed concerns with rezoning this portion of land from residential to commercial. This will be the start of an encroachment to the area. There are concerns about the rezoning being noise and nuisance oriented and what effect it would have on our property and potential use of it in the future. He is also representing the owner of the apartment building at 140 N. Freeman Drive, which abuts the property and feels his tenants would be negatively affected by the noise that would be involved in this type of operation. MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN JUSHKA TO CLOSE THE PUBLIC HEARING. **Motion carried unanimously.**
7. Ordinance 2007-12 (Rezone A Portion Of Land At 1330 W. Grand Ave. From RS-2 to B-2) **1st Reading**-Alderman Hudson feels the proposed

rezoning would be chipping away at the nice residential area and would create an additional nuisance for property owners. He doesn't know if he can support this. Alderman Ross agrees with Alderman Hudson and would not support this.

8. Public Hearing To Consider A Conditional Use Grant To Permit An Animal Hospital At 1330 W. Grand Ave.-Mayor Huebner declared open the Public Hearing. MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN JUSHKA TO CLOSE THE PUBLIC HEARING. **Motion carried unanimously.**

UNFINISHED BUSINESS

- A. Public Hearing To Vacate And Discontinue Unpaved Public Alley Located In South Addition Of The City Of Port Washington. Mayor Huebner declared open the Public Hearing. MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN VOLLMAR TO CLOSE THE PUBLIC HEARING. **Motion carried unanimously.**
- B. Resolution 2007-10 (To Vacate And Discontinue Certain Public Alleys-Schanen)-MOTION BY ALDERMAN JUSHKA, SECONDED BY ALDERMAN VOLLMAR TO APPROVE RESOLUTION 2007-10. **Motion carried unanimously.**
- C. Public Hearing To Vacate And Discontinue Unpaved Alley Located In Lake View Heights And In George's Plat-Mayor Huebner declared open the Public Hearing. MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN VOLLMAR TO CLOSE THE PUBLIC HEARING. **Motion carried unanimously.**
- D. Resolution 2007-11 (To Vacate And Discontinue Certain Public Alleys-Keeney)-MOTION BY ALDERMAN HAACKE, SECONDED BY ALDERMAN VOLLMAR TO APPROVE RESOLUTION 2007-11. **Motion carried unanimously.**

NEW BUSINESS

- A. Approve Hanging Fish Day Banner-MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN HAACKE TO APPROVE HANGING THE FISH DAY BANNER FROM JUNE 29 – JULY 21, 2007. **Motion carried unanimously.**
- B. Approve Hanging Lionsfest Banner-MOTION BY ALDERMAN JUSHKA, SECONDED BY ALDERMAN VOLLMAR TO APPROVE HANGING THE LIONSFEST BANNER TWO WEEKS PRIOR TO THE EVENT, WHICH IS HELD FROM AUGUST 3 – 5, 2007. **Motion carried unanimously.**
- C. Approve Hanging Kids From Wisconsin Banner-MOTION BY ALDERMAN HAACKE, SECONDED BY ALDERMAN VOLLMAR TO APPROVE HANGING THE KIDS FROM WISCONSIN BANNER DURING THE WEEK OF JULY 8, 2007 AND REMAIN UP 4 TO 5 DAYS. **Motion carried unanimously.**
- D. Approve Closing A Portion Of Certain Streets For The Farmer's Market-MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN JUSHKA TO APPROVE THE CLOSING OF STREETS FOR THE 2007 FARMER'S MARKET, WHICH RUNS FROM JULY 7 THROUGH OCTOBER 28, EXCLUDING JULY 21, FOR FISH DAY ACTIVITIES. **Motion carried unanimously.**
- E. Approve Closing A Portion Of Certain Streets And Parking Lots For Maritime Heritage Festival-MOTION BY ALDERMAN JUSHKA, SECONDED BY ALDERMAN ROSS TO APPROVE CLOSING A PORTION OF CERTAIN STREETS AND PARKING LOTS FOR MARITIME HERITAGE FESTIVAL, AUGUST 3 THROUGH AUGUST 6. **Motion carried unanimously.**

FORTHCOMING EVENTS-Mayor Huebner reported that this is the last meeting for student rep Daniel Will and thanked him for his time and wished him well as he heads off to college. Mr. Will spoke to the Council and thanked them for giving him the opportunity to serve as student rep. He said he wasn't sure what it was going to be like, but found the experience very intriguing.

PUBLIC COMMENTS/APPEARANCES-Alderman Vollmar thanked all the people for their hard work on the Pirate's Festival. He said Kim McCulloch organized a great family event that was done well.

ADJOURNMENT-MOTION BY ALDERMAN JUSHKA, SECONDED BY ALDERMAN HUDSON TO ADJOURN THE MEETING OF THE CITY COUNCIL AT 8:48 P.M.

Motion carried unanimously.